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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,682	02/25/2002	Richard D. Weinstein	C40199/124275	3032
1688	7590	12/09/2005	EXAMINER	
POLSTER, LIEDER, WOODRUFF & LUCCHESI 12412 POWERSCOURT DRIVE SUITE 200 ST. LOUIS, MO 63131-3615			REKSTAD, ERICK J	
		ART UNIT	PAPER NUMBER	2613

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/082,682	WEINSTEIN, RICHARD D.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Erick Rekstad	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

This is a Final Rejection for application no. 10/082,682 in response to the amendment filed on September 19, 2005 where in claims 1-16 are presented for examination..

***Response to Arguments***

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 15 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim requires the microwave signal to transmit over a distance greater than 50 miles. The specification provides a description of the 5-6Ghz microwave signal, which only provides up to 7 miles of transmission. The applicant has not disclosed a method which enables the transmission over 50 miles.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5, 7-9, 11, 12-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application 2002/0057365 to Brown.

[claims 1, 8 and 11]

Brown teaches a method and system of providing remote wireless video surveillance of a location (Abstract). The method includes the use of a covert imaging means, where in the imaging means is a miniature video camera and is used for such tasks as night vision viewing (Paragraphs [0016]). Brown does not specifically teach the converting the analog signals to digital electrical signals. It is well known in the art to convert an analog video stream to a digital stream in order to allow a processor to manipulate the video stream (Official Notice).

Brown further teaches the converting of the video into TCP/IP packets wherein the transmissions are made secure by using encoding techniques (Paragraph [0014]). It would have been obvious to one of ordinary skill in the art at the time of the invention that the encoded TCP/IP packets would be a secure IP format.

The streams are transmitted from the remote unit to a command control center through an RF transmitter (Paragraph [0014]). It is well known in the art that RF transmissions include microwave transmissions (Official Notice).

Brown further teaches the obtaining of the signal at a control center where an operator can view the video (Paragraph [0024]). Though Brown does not specifically teach the multiple and simultaneous viewing at the user terminal it would have been

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obvious to one of ordinary skill in the art at the time of the invention that multiple operators could simultaneously view the video at the user terminal (Official Notice).

[claim 2]

Brown teaches the transmission of the video signal through a secured communication network to a network operating center (Paragraph [0014]). Brown further suggest an alternative method of using the Internet (Paragraph [0014]). It would have been obvious to one of ordinary skill in the art at the time of the invention that the first network of Brown would be a private intranet network and the second method would be an internet network as suggest by Brown.

[claim 5]

Brown further teaches a network of the camera units and the selection means based on motion detection (Page 3 Paragraph [0017]).

[claim 7]

Brown further suggests the use of the internet (Paragraph [0014]).

[claim 9]

Brown teaches the use of encoding techniques for securing the transmission. It is well known in the art to buffer the signal in order to prevent the lose of data while encoding (Official Notice). It would have been obvious to one of ordinary skill in the art at the time of the invention that the buffering means used by the encoder would be storing the video data.

[claim 12]

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Brown teaches the device as shown in Figure 1, which is a self contained powered device that wirelessly transmits the secured digital file at a preselected frequency to the central transceiver. Brown further teaches the use of a plurality of these devices, where in each can be selectively activated by the user of the device (Paragraph [0014], [0015] and [0024]).

[claims 13 and 16]

Brown further teaches the device of Figure 1, contains an LCD for displaying video from other devices. Though Brown does not specifically teach the use of a codec it would have been obvious to one of ordinary skill in the art at the time of the invention that the device of Brown includes a codec in order to securely encode video for transmission and decode incoming video for display on the LCD (Official Notice).

[claim 14]

Brown teaches the display means is a computer terminal (Paragraph [0014]).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown as applied to claim 1 above, and further in view of US Patent 6,609,010 to Dolle et al.

[claim 3]

Brown teaches the use of a wireless system to transfer video as shown above for claim 1 (Paragraph [0014]). Brown does not specifically teach the use of the frequency range 5-6 Ghz. Dolle teaches the 5-6 Ghz range is a well known license free frequency band for high data rate applications (Col 1 Lines 8-21). It would have been obvious to one of ordinary skill in the art at the time of the invention to use any one of the license

free frequency bands with the wireless system of Brown as video transmission is a high data rate application.

Claims 4, 6, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown as applied to claims 1, 5 and 8 above, and further in view of US Patent 6,698,021 to Amini et al.

[claims 4 and 10]

Brown teaches the method and apparatus of claims 1 and 8. Brown is silent on the ability to control the camera off site. Amini teach the use of PTZ cameras and further the ability of a user at a client workstation to control the camera as part of a video surveillance and monitoring system (Col 15 Line 55- Col 16 Line 34, Figs 10b and 10c). Amini further teaches the specific steps to perform the control of the camera as shown in Figure 13. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method and apparatus of Brown with the PTZ controls of Amini in order to provide a video surveillance and monitoring system where in a user can adjust the viewing of live video.

[claim 6]

Brown teaches the method of claim 5. Brown further teaches the ability to track the device using GPS (Paragraph [0021] and [0027]). Brown is silent on the base station selecting the camera. Amini teaches the camera selection as one of the options for the user of a client workstation (Col 15 Lines 22-27, Col 16 Lines 38-45, Fig. 9a). As shown in Figure 9a, the user can select a camera based on its location. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the

method of Brown with the camera selection method of Amini in order to provide a user with the ability to select a camera in a location in which the user would like to view.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent 6,271,805 to Yonezawa.

US Patent Application Publication 2003/0,133,015 to Jackel et al.

US Patent Application Publication 2002/0,063,799 to Ortiz et al.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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